

HOUSE BILL NO. \_\_\_\_\_

INTRODUCED BY \_\_\_\_\_

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING HUNTERS TO MAKE NOISE THROUGHOUT HUNTING SEASON, INCLUDING REQUIRING ARCHERS TO MAKE NOISE UPON ARROW LAUNCH, AND PROHIBITING USE OF MUFFLERS ON VEHICLES USED BY HUNTERS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

WHEREAS, section 87-3-123, MCA, currently prohibits the possession of sound reduction devices on firearms in the field or forest or while hunting; and

WHEREAS, section 87-3-123, MCA, does not go far enough; and

WHEREAS, landowners have a right to know when any person is on or near the landowner's land; and

WHEREAS, persons who might trespass onto a landowners land must be required to make sufficient noise at all times that their locations may be readily ascertained.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Vehicle mufflers illegal. Every person who purchases and holds a Montana conservation license is prohibited from using any type of muffler or sound suppression device on any motor vehicle operated by that person during the full duration of any regular or special hunting season. This prohibition applies throughout the hunting season whether the license holder is actively hunting or not.

NEW SECTION. Section 2. Sound alarm for archery hunting. Every person who purchases or holds a license to hunt any game animal with archery equipment must at all times possess an air horn operated by compressed gas capable of emitting a sound of 150 decibels or more. During the period for which archery equipment is allowed for hunting, every person releasing an arrow from a bow must also release at least a one-second sound from the compressed gas air horn within ten seconds of releasing any arrow.

NEW SECTION. Section 3. No defense; no damages. It is no defense against prosecution under [Sections 1 and 2] that a person has, has had, or may incur hearing damage because of sound levels allowed or required. No person may claim damages because of the sounds imposed under [Sections 1 and 2].

NEW SECTION. Section 4. Nuisance complaints not allowed. No person may make a nuisance complaint to any public authority and no public authority may act on any nuisance complaint because of sounds generated as a result of [Sections 1 and 2].

NEW SECTION, Section 5. Controlling law. [Sections 1 and 2] prevail over any other statute that may require people or motor vehicles to be kept quiet.

NEW SECTION. Section 6. Penalty. Any person convicted of having violated either of [Sections 1 or 2] is guilty of a felony and may be fined not to exceed \$250,000 and imprisoned in the state prison for a term not to exceed 100 years, or both.

NEW SECTION. Section 7. Effect of vote. Any legislator who votes in favor of this bill is deemed to have provided sufficient reason for reelection, is deemed to have been reelected, and may not be required to actually stand for election in order to serve another term in the Montana Legislature, any other laws to the contrary notwithstanding.

NEW SECTION. Section 8. Clarification of intent. Any person who fails to understand the dire need for this legislation is referred to <http://www.theonion.com/>.

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